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Proposed programme budget for the biennium 2014-2015

Promotion and protection of human rights: implementation of human rights instruments

Human Rights Committee

Programme budget implications of draft resolution A/C.3/68/L.31/Rev.1

Twenty-first report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 2014-2015

1. The Advisory Committee on Administrative and Budgetary Questions has considered the statement submitted by the Secretary-General (A/C.5/68/15), in accordance with rule 153 of the rules of procedure of the General Assembly, of the programme budget implications of draft resolution A/C.3/68/L.31/Rev.1, on the Human Rights Committee. During its consideration of the statement, the Advisory Committee met with representatives of the Secretary-General, who provided additional information and clarifications concluding with responses received in writing on 12 December 2013.

2. Under the terms of operative paragraph 2 of draft resolution A/C.3/68/L.31/Rev.1, the General Assembly would authorize the addition of one week of meeting time for the Committee in 2014 as a temporary measure, including an adequate level of Secretariat resources, which would address the backlog of communications under the first Optional Protocol to the International Covenant on Civil and Political Rights awaiting consideration.

3. The statement submitted by the Secretary-General includes information with respect to the following: (a) the relationship of the requests to the biennial programme plan and priorities for the period 2014-2015 and to the proposed programme budget for the biennium 2014-2015 (paras. 4-5); and (b) the activities by which the requests would be implemented (paras. 6-8).

4. The table contained in paragraph 12 of the Secretary-General's statement provides a summary of the total estimated additional requirements, which would amount to $1,501,100 for the biennium 2014-2015, as follows:

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(a) Section 24, Human rights ($432,900);

(b) Section 2, General Assembly and Economic and Social Council affairs and conference management ($1,063,300);

(c) Section 29F, Administration, Geneva ($4,900).

5. According to the statement of the Secretary-General, with the present Secretariat support, the Human Rights Committee considers approximately 80 cases per year, spread over three sessions. The statement further provides that an average of 85 new cases is registered each year for consideration by the Committee. As a result, the backlog of cases under the Optional Protocol is slowly growing (para. 6).

6. The Secretary-General proposes that the Human Rights Committee would be able to address 40 communications through one week of additional meeting time (para. 7). The Advisory Committee was informed upon enquiry that in addition to reviewing individual communications, the Human Rights Committee also reviews States parties' reports and conducts other activities such as preparing its annual report and general comments as well as meeting with other treaty bodies and States parties. The Advisory Committee was further informed that in the past, the Human Rights Committee had required 20 hours of meeting time to deal with an average of 26 individual communications/cases. Upon request, the number of cases reviewed by the Human Rights Committee in each of its sessions was provided, as indicated in the table below.

Number of cases reviewed by the Human Rights Committee by session

Session	*2013*	*2012*	*2011*	*2010*	*2009*
First	33	42	40	33	30
Second	17	34	28	27	34
Third	22	27	22	25	22

7. The Advisory Committee was informed that the difference in the number of reviews among the various sessions of the Human Rights Committee is due to the varying complexity of the cases, the number of hours devoted to this activity (ranging between 17 and 27 per session) and the number of drafts presented to the Committee for its consideration. The Secretary-General proposes that based on past experience, it is expected that as a result of one week of additional meeting time, the Human Rights Committee would be able, as noted in paragraph 6 above, to review 40 cases, which would require 30 hours of meeting time. **The Advisory Committee trusts that the information on the actual number of cases reviewed by the Human Rights Committee in the proposed additional week of meeting time will be reflected in the performance report.**

8. The Secretary-General also proposes that the preparation of 40 cases for consideration by the Human Rights Committee would require 80 weeks of work by Professional staff at the P-3 level. For the consideration of the 40 cases, the Secretary-General proposes that provisions for a daily subsistence allowance for the 18 members of the Human Rights Committee to participate in the additional week of meetings, estimated at $72,300, and general temporary assistance, equivalent to 24 work-months at the P-3 level (2 P-3 positions), estimated at $360,600, would be

required under section 24, Human rights, of the proposed programme budget for the biennium 2014-2015 (paras. 10-11).

9. Concerning the methodology used to determine the proposed level of general temporary assistance commensurate with the forecasted workload, the Advisory Committee was informed upon enquiry that 24 work-months imply 88 weeks of work time in a year.[1] The Advisory Committee was also informed that the request for 80 weeks of work time is based on a standard average estimate of a requirement by one Professional staff of two weeks to prepare a draft for the consideration of the Human Rights Committee, and the additional time of 8 weeks is proposed to be devoted to other reports and related tasks. In this connection, the Committee was also informed that in such cases, staff are generally recruited under full-year fixed-term contracts to maintain a pool of readily available experienced staff and to avert the mandatory breaks in contracts. **The Advisory Committee notes the additional time to be available to staff to review more than 40 cases proposed by the Secretary-General, and trusts that this time will be used efficiently to review more cases, in proportion to the additional time available.**

10. According to the statement of the Secretary-General, additional conference service requirements include interpretation, documentation and support services, where documentation comprises 600 pages of pre-session, 600 pages of in-session and 600 pages of post-session documents in the working languages of the Human Rights Committee (para. 8). The Advisory Committee was informed upon enquiry that the pre- and in-session documents are prepared in the working languages of the Human Rights Committee (English, French and Spanish) and that the post-session documents are prepared in all six official languages of the United Nations. The Advisory Committee was also informed that the cost estimate for the post-session documents is based on those documents, being issued in the six official languages, paragraph 8 of the Secretary-General's statement not being sufficiently precise in this regard. It is estimated that additional conference-servicing requirements of $1,063,300 would arise under section 2, General Assembly and Economic and Social Council affairs and conference management, and $4,900 under section 29F, Administration, Geneva, of the proposed programme budget for the biennium 2014-2015.

11. **Subject to its comments and recommendations in the paragraphs above, the Advisory Committee recommends that the Fifth Committee inform the General Assembly that, should it adopt draft resolution A/C.3/68/L.31/Rev.1, additional resources in the total amount of $1,501,100 would be required under section 2, General Assembly and Economic and Social Council affairs and conference management ($1,063,300), section 24, Human rights ($432,900), section 29F, Administration, Geneva ($4,900), and section 36, Staff assessment ($33,200), to be offset by the same amount under income section 1, Income from staff assessment, of the proposed programme budget for the biennium 2014-2015. This would represent a charge against the contingency fund and, as such, would require appropriation for the biennium.**

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[1] From the 52 weeks of five working days each in a year, 2 weeks (or 10 days) of official United Nations holidays and 6 weeks of annual leave entitlement to United Nations staff under fixed-term contracts are required to be deducted, thereby making 44 weeks of work time available for each staff per year, assuming no sick leave is availed of.